

SHEET 1 OF 2

FORM PTO-148 INFORMATION DISCLOSURE CITATION IN AN APPLICATION		DOCKET NUMBER MSX 302RI		APPLICATION NUMBER 09/687,828		
		APPLICANT(S) James Paschal McCloskey				
		FILING DATE October 12, 2000		GROUP ART UNIT 3653		
U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FIL. DATE IF APPROP.
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO
OTHER DOCUMENTS						
	Wildcat Manufacturing Co., Inc. engineering drawing and brief written description, entitled "WILDCAT RHC-6-160 SCREENING PLANT," undated, (as submitted in a Protest and referenced in the Declaration of Charles Mehlhaf included below)					
	Wildcat Manufacturing Co., Inc. engineering drawing and brief written description, WC677, entitled "WILDCAT TROMMEL SCREEN MODEL RHC 6-160," undated, (as submitted in a Protest and referenced in the Declaration of Charles Mehlhaf included below)					
	Wildcat Manufacturing Co., Inc. engineering drawing WC694, entitled "STACKING CONVEYOR," dated March 14, 1991, (as submitted in a Protest)					
	Wildcat Manufacturing Co., Inc. engineering drawing WC680, Model TROM SCREEN 6-160-RHC, Part Name STACKER CONVEYOR TAIL END, dated February 17, 1991, (as submitted in a Protest)					
	"DESCRIPTION OF WILDCAT RHC 6-160 TROMMEL SCREENING PLANT," dated April, 1991, Publisher: Wildcat Manufacturing Co., Inc., pages 207-218, (as submitted in a Protest)					
	Wildcat Manufacturing Co., Inc. engineering drawing WC658, Model TROM SCREEN 6-160-RHC, Part Name REJECT CONVEYOR CARRIAGE, dated January 22, 1991, (as submitted in a Protest)					
	Wildcat Manufacturing Co., Inc. engineering drawing WC662 Model TROM SCREEN 6-160-RHC, Part Name STACKER CONV. SWING DETAIL, dated January 29, 1991, (as submitted in a Protest)					
EXAMINER			DATE CONSIDERED			

1/6/06

FORM PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION		DOCKET NUMBER MSX 302RI	APPLICATION NUMBER 09/687,828			
		APPLICANT(S) James Paschal McCloskey				
		FILING DATE October 12, 2000	GROUP ART UNIT 3653			
U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FIL. DATE IF APPROP.
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO
OTHER DOCUMENTS						
2	Wildcat Manufacturing Co., Inc. engineering drawing WC661, Part Name STACKER CONVEYOR, dated January 24, 1991, (as submitted in a Protest)					
3	Wildcat Manufacturing Co., Inc. engineering drawing WC1420, Part Name SWING DETAIL, dated August 8, 1993, (as submitted in a Protest)					
7	Declaration of Charles Mehlhaf regarding Patent Application Serial No. 09/687,828, signed November 10, 2005, pages 1-5, (as submitted in a Protest)					
EXAMINER		DATE CONSIDERED 1/19/06				



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PTO/SB/08A (08-03)

Approved for use through 07/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449/PTO

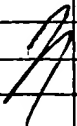
INFORMATION DISCLOSURE STATEMENT

(Use as many sheets as necessary)

Sheet 1 of 3

Complete If Known

Application Number	09/687,828
Filing Date	October 12, 2000
First Named Inventor	McCloskey, James P.
Art Unit	3653
Examiner Name	Joseph C. Rodriguez
Attorney Docket Number	BT09562.0526888

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 5,285,905	02-15-1997	Laprade	
		US-			
		US-			
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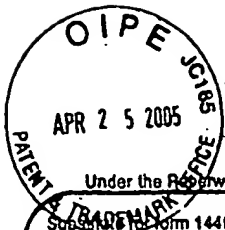
FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ¹ Number ⁴ Kind Code ⁵ (if known)				

Examiner Signature	[Signature]	Date Considered	11/19/05
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinda Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/08B (08-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Substitute Form 1448/PTO

**INFORMATION DISCLOSURE
STATEMENT**

(Use as many sheets as necessary)

Complete if Known

Application Number	09/687,828
Filing Date	October 12, 2000
First Named Inventor	McCloskey, James P.
Art Unit	3653
Examiner Name	Joseph C. Rodriguez
Attorney Docket Number	BT09562.0526888

Sheet 2 of 3

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
/		Exhibit A, attached to the Declaration of Jerry L. Warlow enclosed herewith (the "Warlow Declaration"), is a photograph of a Re-Tech Eliminator trommel vehicle.	
		Exhibit B, Warlow Declaration, is a photograph of a Re-Tech Eliminator trommel	
		Exhibit C, Warlow Declaration, is a photograph of a Re-Tech Eliminator trommel vehicle.	
		Exhibit D, Warlow Declaration, is a photograph of a Re-Tech Eliminator trommel vehicle.	
		Exhibit E, Warlow Declaration, is a photograph of a Re-Tech Eliminator trommel vehicle.	
		Exhibit F, Warlow Declaration, is a photograph of a manufacturing identification plate attached to the Re-Tech Eliminator trommel vehicle of Exhibits A-E.	
		Exhibit G, Warlow Declaration, is a Re-Tech drawing E-32, dated 5-25-05, titled "Double-Fold Fines Stacker Option".	
		Exhibit H is a printed publication of Royer Industries, Inc., titled "An Advanced Recycling System-The 616 Mobile Trommel Screen. <i>ok</i>	
		Exhibit I is page 19 from the May 1991 issue of BioCycle magazine.	
		Exhibit J is page 6 from the February 6, 1993 issue of BioCycle magazine.	

Examiner Signature	<i>[Signature]</i>	Date Considered	1/19/08
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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/08B (08-03)

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INFORMATION DISCLOSURE STATEMENT (Use as many sheets as necessary)		Complete if Known	
		Application Number	09/687,828
		Filing Date	October 12, 2000
		First Named Inventor	McCloskey, James P.
		Art Unit	3653
		Examiner Name	Joseph C. Rodriguez
Sheet 3	of 3	Attorney Docket Number	BT09562.0526888

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
4		Exhibit K is page 47 from the March 1993 issue of BioCycle magazine.	
		Exhibit L is Royer Industries, Inc. drawing D 1402-2680 D, titled 616 MP ASSY. <i>not undetd</i>	
		Exhibit M, Warlow Declaration, is Re-Tech drawing L-01, dated 3-2-94, titled THE LANDSCAPER.	
		Exhibit N, attached to the Declaration of Joseph E. Musil enclosed herewith (the "Musil Declaration"), a Cedarapids brochure titled	1
		"Model 5348-VGF-FS Portable Impact Breaker With Front Swivel Conveyor" vehicle (The "Cedarapids vehicle"), Form No. 13757-IMCO-10-73.	
		Exhibit O, Musil Declaration, is a page of a Cedarapids parts manual, titled "Hydraulic Swivel Base Parts List No. 8085KAP".	
		Exhibit P, Musil Declaration, is three pages of a Cedarapids parts manual of a Cedarapids 5460 MATP Plant.	
7		Exhibit Q, Musil Declaration, is titled Portable And Radial Stacking Conveyor Stockpile Tonnage, Form 125630IMCO-9-69.	
		Exhibit R is a brochure titled Remu. A translation is included. <i>Justified</i>	

data prior to April 5, 1995

Examiner Signature		Date Considered	1/19/06
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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